

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

PHILLIP NELSON BURNS, et al.,

Plaintiffs,

07 Civ. 3496 (WHP)

-against-

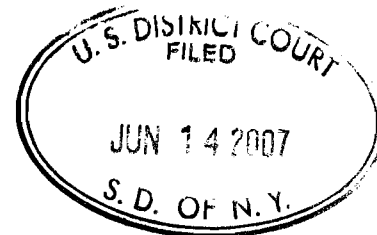
**MOTION TO ADMIT COUNSEL
PRO HAC VICE**

GRUPO MEXICO S.A. DE C.V.,

Defendant.

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, G. Irvin Terrell, Jr., a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of:

Applicant's Name: **MICHAEL C. MASSENGALE**
Firm Name: Baker Botts L.L.P.
Address: One Shell Plaza
910 Louisiana
City/State/Zip: Houston, Texas 77002
Phone Number: (713) 229-1814
Fax Number: (713) 229-2814
Email Address: michael.massengale@bakerbotts.com



Michael C. Massengale is a member in good standing of the Bar of the State of Texas. There are no pending disciplinary proceedings against Michael C. Massengale in any State or Federal court.

Dated: June 8, 2007
City, State: Houston, Texas

Respectfully submitted,

G. Irvin Terrell, Jr.

G. Irvin Terrell, Jr. (GT-3459)
Baker Botts L.L.P.
One Shell Plaza
910 Louisiana
Houston, Texas 77002
Phone Number: (713) 229.1231
Fax Number: (713) 229.2831
Email Address: irv.terrell@bakerbotts.com

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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

PHILLIP NELSON BURNS, et al.,

Plaintiffs,

07 Civ. 3496 (WHP)

-against-

GRUPO MEXICO S.A. DE C.V.,

Defendant.

**AFFIDAVIT OF
G. IRVIN TERRELL, JR.
IN SUPPORT OF MOTION
TO ADMIT COUNSEL
PRO HAC VICE**

State of Texas §
 §
County of Harris §

G. Irvin Terrell, Jr., being duly sworn, hereby deposes and says as follows:

1. I am a Partner at Baker Botts L.L.P., counsel for Real-party-in-interest ASARCO, LLC in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of this motion to admit Michael C. Massengale as counsel pro hac vice to represent Real-party-in-interest ASARCO, LLC in this matter.
2. I am a member in good standing of the bar of the State of Texas and was admitted to practice law in 1972. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. I have known Michael C. Massengale since 2000.
4. Mr. Massengale is a partner at Baker Botts L.L.P. in Houston, Texas.
5. I have found Mr. Massengale to be a skilled attorney and a person of integrity. He is experienced in Federal Practice and is familiar with the Federal Rules of Procedure.
6. Accordingly, I am pleased to move the admission of Michael C. Massengale, pro hac vice.
7. I respectfully submit a proposed order granting the admission of Michael C. Massengale, pro hac vice, which is attached hereto as Exhibit A.

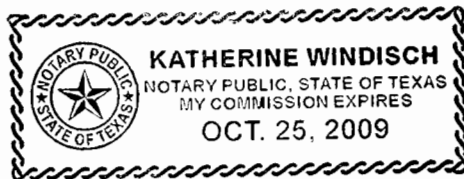
WHEREFORE it is respectfully requested that the motion to admit Michael C. Massengale, pro hac vice, to represent Interested Party ASARCO, LLC in the above captioned matter, be granted.

Dated: June 8, 2007
Houston, Texas

Respectfully submitted,

Katherine Windisch
Notary Public, In and For the State of Texas

G. Irvin Terrell, Jr.
G. Irvin Terrell, Jr. (GT-3459)



The Supreme Court of Texas

AUSTIN

CLERK'S OFFICE

I, **BLAKE HAWTHORNE**, Clerk of the Supreme Court of Texas, certify that the records of this office show that

MICHAEL C. MASSENGALE

was duly admitted and licensed as an attorney and counselor at law by the Supreme Court of Texas on the 11th day of December, 1997.

I further certify that the records of this office show that, as of this date

MICHAEL C. MASSENGALE

is presently enrolled with the State Bar of Texas as an active member in good standing.

IN TESTIMONY WHEREOF witness my hand
and the seal of the Supreme Court of
Texas at the City of Austin, this 6th day
of June, 2007.

BLAKE HAWTHORNE, Clerk

by 
Andrea King, Deputy Clerk

No. 1540A

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

PHILLIP NELSON BURNS, et al.,

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CERTIFICATE OF SERVICE

GRUPO MEXICO S.A. DE C.V.,

Defendant.

I hereby certify that a true and correct copy of the foregoing was sent to all known counsel of record by electronic filing, facsimile, hand delivery, and/or certified mail, return receipt requested, on this 8th day of June, 2007.

G. Irvin Terrell, Jr. *WPPADA*
G. Irvin Terrell, Jr. (GT-3459)

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

PHILLIP NELSON BURNS, et al.,

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07 Civ. 3496 (WHP)

-against-

**ORDER FOR ADMISSION
PRO HAC VICE
ON WRITTEN MOTION**

GRUPO MEXICO S.A. DE C.V.,

Defendant.

Upon the motion of G. Irvin Terrell, Jr., attorney for Interested Party ASARCO, LLC and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Applicant's Name:	MICHAEL C. MASSENGALE
Firm Name:	Baker Botts L.L.P.
Address:	One Shell Plaza 910 Louisiana
City/State/Zip:	Houston, Texas 77002
Phone Number:	(713) 229-1814
Fax Number:	(713) 229-2814
Email Address:	michael.massengale@bakerbotts.com

is admitted to practice pro hac vice as counsel for Interested Party ASARCO, LLC in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov.

Counsel shall forward the pro hac vice fee to the Clerk of the Court.

Dated: _____
City, State: _____

United States District/Magistrate Judge